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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**BINYAM MOHAMED;
ABOU ELKASSIM BRITEL;
AHMED AGIZA;
MOHAMED FARAG AHMAD
BASHMILAH;
BISHER AL-RAWI.**

Plaintiffs.

V.

JEPPESEN DATAPLAN, INC.,

Defendant.

Civil Action No. 5:07-cv-02798 (JW)

PROPOSED ORDER

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[PROPOSED] ORDER

The United States in the above-captioned action has moved the Court for an order dismissing this action or, in the alternative, for summary judgment.

The Court having considered the United States' Motion to Dismiss, or in the Alternative, for Summary Judgment and Plaintiffs' opposition thereto, and good cause appearing,

IT IS HEREBY ORDERED THAT the United States' Motion is DENIED.

Dated:

Judge J. Ware
United States District Chief Judge